



Entered on Docket  
August 26, 2009

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>

Debtors.

**Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR<sup>1</sup>

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR<sup>2</sup>

Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OBJECTION OF  
USACM TRUST TO PROOF OF CLAIM  
NO. 10725-01318 FILED BY HFAH  
ASYLUM, LLC**

Hearing Date: August 21, 2009

Hearing Time: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.



1       The Court having considered the “Objection of USACM Trust to Proof of Claim  
2 No. 10725-01318 Filed By HFAH Asylum, LLC” [Docket No. 7168] (the “Objection”);  
3 with appropriate notice of the Objection having been given; with no response to the  
4 Objection having been filed; and good cause appearing:

5       **IT IS HEREBY ORDERED** that:

- 6           1.     The Objection is sustained; and  
7           2.     HFAH Asylum, LLC’s claim 10725-01318 filed in the amount of  
8                           \$6,685,850 against USACM is disallowed in full.

9  
10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11  
12 **LEWIS AND ROCA LLP**

13 By /s/ John Hinderaker (018024)

14           Rob Charles  
15           John Hinderaker  
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21           *Attorneys for USACM Liquidating Trust*



In accordance with Local Rule 9021, the undersigned certifies:

- The Court waived the requirements of LR 9021.
  - No parties appeared or filed written objections, and there is no trustee appointed in this case.
  - I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below (list each party and whether the party has approved, disapproved, or failed to respond to the document):

U.S. Trustee: August Landis	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

1

Submitted by:

LEWIS AND ROCA LLP

By: /s/ JH (#018024)

Rob Charles  
John Hinderaker  
Marvin Ruth

## *Attorneys for USACM Liquidating Trust*